

Emergency Rule Review – ERR19-024
Legislative Service Office

AGENCY Attorney General

DATE SUBMITTED: September 5, 2019

DATE FILED WITH
SECRETARY OF STATE September 5, 2019

NOTE: Under W.S. 16-3-103(b), temporary emergency rules are valid for not more than 120 days after the date of filing.

SUBJECT: Schedule I - Controlled Substances - Chapter 1 - Additional Controlled Substances

NATURE OF RULES: Substantive

STATUTORY AUTHORITY: W.S. 35-7-1011(a) and (d).

SUMMARY OF RULES: The Commissioner of the Drugs and Substances Control is required to designate a controlled substance on Wyoming's schedule of substances if it is listed under federal law. In response to federal action listing additional Schedule I substances, the Commissioner has promulgated this emergency rule to list the same new listings as under federal law. The drugs listed are synthetic cannabinoids, synthetic opioids, and synthetic cathinone.

LSO notes that emergency rules promulgated in January 2019 and May 2019 listed sixteen (16) of these same substances. See ERR19-001 and ERR19-007. The emergency rule promulgated in May 2019 listed five (5) separate substances that are again listed in this emergency rule.

W.S. 16-3-103(b) provides that "[i]n no case shall identical or substantially similar emergency rules be effective for a total period of more than two hundred forty (240) days." Sixteen (16) of these substances would exceed that limit upon the enactment of this emergency rule.



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